

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO, LTD;
SAMSUNG ELECTRONICS AMERICA,
INC.; SAMSUNG SEMICONDUCTOR INC.,

Defendants.

NETLIST, INC.,

Plaintiff,

v.

MICRON TECHNOLOGY, INC., MICRON
SEMICONDUCTOR PRODUCTS, INC., AND
MICRON TECHNOLOGY TEXAS LLC,

Defendants.

Civil Action No. 2:22-cv-00293-JRG
(LEAD CASE)

JURY TRIAL DEMANDED

Civil Action No. 2:22-cv-00294-JRG

JURY TRIAL DEMANDED

**DECLARATION OF MICHAEL R. RUECKHEIM IN SUPPORT OF MICRON'S
OPPOSITION TO NETLIST'S DAUBERT MOTION AND MOTION TO STRIKE
EXPERT TESTIMONY OF DR. MATTHEW LYNDE**

I, Michael R. Rueckheim, declare as follows:

1. I am an attorney at the law firm of Winston & Strawn, LLP, counsel of record for Defendants' Micron Technology, Inc., Micron Semiconductor Products, Inc. and Micron Technology Texas LLC (Collectively "Micron") in the above-captioned action. I am a member in good standing of the State Bar of Texas. I provide this declaration in support of Micron's Opposition to Netlist's Daubert Motion and Motion to Strike Expert Testimony of Dr. Matthew Lynde. I have personal knowledge of the facts stated herein, and could and would testify completely thereto if called as a witness in this matter.

2. Attached as Exhibit 1 is a true and accurate copy of what was served for the current case *Netlist, Inc., v. Micron Technologies, Inc. et. al.*, No. 2:22-cv-294-JRG (E.D. Tex.), Rebuttal Expert Report of Mr. David Kennedy dated December 21, 2023.

3. Attached as Exhibit 2 is a true and accurate excerpted copy of what was served for the current case *Netlist, Inc., v. Micron Technologies, Inc. et. al.*, No. 2:22-cv-294-JRG (E.D. Tex.), Expert Report of Mr. David Kennedy dated November 20, 2023.

4. Attached as Exhibit 3 is a true and accurate copy of what was served for the case *Netlist, Inc., v. Micron Technologies, Inc. et. al.*, No. 2:22-cv-203-JRG (E.D. Tex.), Plaintiff Netlist, Inc.'s Motion to Strike Opinions of Dr. Matthew Lynde dated November 14, 2023.

5. Attached as Exhibit 4 is a true and correct excerpted copy of the *Netlist, Inc., v. Micron Technologies, Inc. et. al.*, No. 2:22-cv-203-JRG (E.D. Tex.) Memorandum Order on Netlist's Motion to Strike Opinions of Dr. Matthew Lynde dated January 27, 2024.

6. Attached as Exhibit 5 is a true and accurate excerpted copy of what was served for the current case *Netlist, Inc., v. Micron Technologies, Inc. et. al.*, No. 2:22-cv-294-JRG (E.D. Tex.), Expert Report of Mr. David Kennedy dated November 20, 2023.

7. Attached as Exhibit 6 is a true and accurate excerpted copy of what was served for the current case *Netlist, Inc., v. Micron Technologies, Inc. et. al.*, No. 2:22-cv-294-JRG (E.D. Tex.), Micron's Corrected Sixth Supplemental Responses and Objections to Plaintiff Netlist, Inc.'s First Set of Amended Interrogatories (Nos. 1-20) dated January 22, 2024.

8. Attached as Exhibit 7 is a true and accurate excerpted copy of what was produced for the current case *Netlist, Inc., v. Micron Technologies, Inc. et. al.*, No. 2:22-cv-294-JRG (E.D. Tex.), [REDACTED].

9. Attached as Exhibit 8 is a true and correct excerpted copy of motion transcript for the court case proceeding, Motion Hearing dated September 26, 2023.

10. Attached as Exhibit 9 is a true and accurate copy of what was produced for the current case *Netlist, Inc., v. Micron Technologies, Inc. et. al.*, No. 2:22-cv-294-JRG (E.D. Tex.), [REDACTED]

11. Attached as Exhibit 10 is a true and accurate copy of what was produced for the current case *Netlist, Inc., v. Micron Technologies, Inc. et. al.*, No. 2:22-cv-294-JRG (E.D. Tex.), [REDACTED]
[REDACTED]

I declare under penalty of perjury under laws of the United States of America that the foregoing is true and correct.

Executed on January 30, 2024, in Redwood City, California.

/s/Michael R. Rueckheim

Michael R. Rueckheim